

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE WESTERN DISTRICT OF PENNSYLVANIA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

Criminal Action

5 vs.

No. 19-115

6 TAL PRIHAR,

7 Defendant.

8

9

10 Transcript of CHANGE OF PLEA Proceedings on March 31,
11 United States District Court, Pittsburgh,
12 Pennsylvania, before The Hon. Donetta W. Ambrose, United
13 States District Judge.

14 APPEARANCES:

15 For the Government: Jessica Lieber Smolar, Esq.

16 For the Defendant: Michael A. Comber, Esq.
17 Stephen Wesley Gorman, Esq.

18

19 Court Reporter: Amanda M. Williamson, RMR, CRR
20 6260 Joseph F. Weis Jr. US Courthouse
21 Pittsburgh, PA 15219
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23 Proceedings recorded by mechanical stenography; transcript
24 produced by computer-aided transcription

1 P R O C E E D I N G S

2 (Proceedings held via Zoom; March 31, 2021.)

3 THE COURT: Good morning, everyone. I'm sorry,
4 Susan, I was a little late coming on. It was because I
5 pressed the wrong Zoom meeting, the one from yesterday. So
6 I apologize. But I'm here now, and we are here in the case
7 of the United States of America against Tal Prihar at
8 Criminal No. 19-115.

9 And as everyone knows from the notices that go up,
10 recording of the Zoom proceeding is prohibited. So we're
11 ready to start this morning. And, Mr. Prihar, would you
12 raise your right hand, please.

13 (The defendant was sworn.)

14 THE COURT: Mr. Prihar, before we proceed with
15 your change of plea hearing today, I want to acknowledge for
16 the record that we are proceeding today by video conference.
17 At present, you are located at the Butler County Jail, and
18 you are participating by video link; is that correct?

19 THE DEFENDANT: Yes, Your Honor.

20 THE COURT: Okay. Your attorney, Mr. Comber, is
21 also present by video link, as is the Assistant United
22 States Attorney, Ms. Smolar. I am also present by video
23 link, as is my staff and the court reporter.

24 These proceedings are being transcribed by the
25 court reporter the same as though we were all physically

1 present in the courtroom. Now, if at any time during this
2 proceeding, you need to speak to Mr. Comber privately, all
3 you have to do is ask; and we can arrange that.

4 Do you understand that today's plea hearing will be
5 received through video conference to secure your testimony
6 and the testimony of all others?

7 THE DEFENDANT: Yes, Your Honor.

8 THE COURT: We are proceeding with video
9 conference due to limitations presented by the COVID-19
10 virus pandemic and by virtue of an administrative order
11 entered in this district by our Chief Judge, Mark Hornak.

12 In addition, pursuant to a motion filed on your
13 behalf and consented to by the government, we are convened
14 for a video conference to receive your change of plea in
15 this case.

16 Since this matter involves a hearing for a felony
17 offense, I am required to determine the existence of
18 specific reasons that this plea cannot be further delayed
19 without serious harm to the interest of justice. I
20 acknowledge the timely processing of cases ready to move
21 forward towards resolution furthers the interest of justice
22 and reduces undue burdens on the court and the criminal
23 justice system during this pandemic.

24 Defendants and the public are well-served to move
25 forward towards timely disposition of each case. Therefore,

1 given the disruption in criminal and civil case processing
2 and the building backlog of cases during the pandemic, this
3 matter presently ready to move forward cannot be further
4 delayed without serious harm to the interest of justice.

5 Now, I'll ask counsel first for the government, are
6 there any other reasons you wish to present on the issue of
7 necessity to move forward in the interest of justice?

8 MS. SMOLAR: Nothing further, Your Honor.

9 THE COURT: Mr. Comber?

10 MR. COMBER: No, Your Honor. Thank you.

11 THE COURT: Okay. Now, Mr. Prihar, due to this
12 proceeding being conducted by video conference today, we
13 have been unable to provide you with physical forms for your
14 signature. Now, Mr. Comber, I know there were some issues
15 about whether or not you were going to get the forms to him.
16 Did you, in fact, or am I going to ask him to authorize you
17 to sign them today?

18 MR. COMBER: No, Your Honor. We met and provided
19 him with the forms. He signed, and I have forwarded them
20 on.

21 THE COURT: Okay. So that has been done, right,
22 Mr. Prihar, you have signed the necessary forms for today?

23 THE DEFENDANT: Yes, Your Honor.

24 THE COURT: Okay. Thank you. Mr. Prihar, you
25 have the right to request that this proceeding be continued

1 until a later date when circumstances can permit your
2 physical presence in court for that purpose. Do you
3 understand that you are not required to proceed through
4 video conference?

5 THE DEFENDANT: Yes, Your Honor.

6 THE COURT: Do you consent to proceeding by video
7 conference hearing today?

8 THE DEFENDANT: Yes, Your Honor.

9 THE COURT: Do you have any questions at all about
10 what I have just discussed with regard to video conference
11 hearings?

12 THE DEFENDANT: No, Your Honor. All is clear.

13 THE COURT: I then find that the interest of
14 justice supports proceeding today by way of video conference
15 and that Mr. Prihar has consented to entering his change of
16 plea through this method of court appearance and
17 presentation.

18 Now, Mr. Prihar, I have been informed that you wish
19 to change the plea you previously entered at Count 1 of this
20 indictment to a plea of guilty. Is that correct?

21 THE DEFENDANT: Yes, Your Honor.

22 THE COURT: Before accepting your guilty plea,
23 there are a number of questions that I'm going to ask to
24 make certain that your plea is valid. If you do not
25 understand any question I ask you, please let me know; and I

1 will explain it to you.

2 If at any time you wish to consult with your
3 attorney, let me know that; and I'll give you as much time
4 as you need to consult with him. I give you these
5 instructions because it is essential to a valid plea that
6 you understand every question before you answer. Would you
7 please state your full name.

8 THE DEFENDANT: Tal Prihar.

9 THE COURT: How old are you, sir?

10 THE DEFENDANT: 39.

11 THE COURT: How far did you go in school?

12 THE DEFENDANT: To 12th grade.

13 THE COURT: Do you have any difficulty reading,
14 writing, or understanding the English language?

15 THE DEFENDANT: No, Your Honor.

16 THE COURT: Mr. Comber, have you had any
17 difficulty communicating with Mr. Prihar?

18 MR. COMBER: No, Your Honor.

19 THE COURT: Mr. Prihar, have you taken any drugs
20 or medicine or drunk any alcohol in the past 24 hours?

21 THE DEFENDANT: No, Your Honor.

22 THE COURT: Are you now or have you recently been
23 under the care of a physician or a psychiatrist?

24 THE DEFENDANT: No, Your Honor.

25 THE COURT: Are you now or have you recently been

1 hospitalized or treated for narcotic addiction?

2 THE DEFENDANT: No, Your Honor, no.

3 THE COURT: Do you understand what is happening
4 here today? Previously, you pled not guilty to Count 1 of
5 the indictment. You are here today to change that to a
6 guilty plea. Do you understand that?

7 THE DEFENDANT: Yes, Your Honor.

8 THE COURT: Does either counsel have doubt about
9 the competence of Mr. Prihar to plead guilty at this time to
10 Count 1 of the indictment? Mr. Comber, do you?

11 MR. COMBER: No, Your Honor.

12 THE COURT: Ms. Smolar?

13 MS. SMOLAR: No, Your Honor.

14 THE COURT: I then find that Mr. Prihar is
15 competent to enter a guilty plea. What is your attorney's
16 name, Mr. Prihar?

17 THE DEFENDANT: Mike Comber, Your Honor.

18 THE COURT: Have you had sufficient opportunity to
19 discuss your case with him?

20 THE DEFENDANT: Yes, Your Honor.

21 THE COURT: Are you satisfied with the work that
22 he has done for you up to this point?

23 THE DEFENDANT: Yes, Your Honor.

24 THE COURT: Do you understand that if you continue
25 to plead not guilty, if you did not change your plea today,

1 you would have the right to be assisted by an attorney at
2 all stages of the proceedings against you, including the
3 trial?

4 THE DEFENDANT: Yes, Your Honor.

5 THE COURT: Do you understand that if you did not
6 enter a guilty plea and if you qualified financially, you
7 would be entitled to be assisted by an attorney at no cost
8 to you at all stages of the proceedings against you?

9 THE DEFENDANT: Yes, Your Honor.

10 THE COURT: Do you understand that if you did not
11 plead guilty and if you chose to go to trial, under the
12 constitution and laws of the United States, you would be
13 entitled to a speedy trial by a judge and a jury on the
14 charges set forth in the indictment?

15 THE DEFENDANT: Yes, Your Honor.

16 THE COURT: Do you understand that if you went to
17 trial, you would be presumed to be innocent at trial of the
18 charges filed against you?

19 THE DEFENDANT: Yes, Your Honor.

20 THE COURT: Do you understand that if you went to
21 trial, the government would be required to prove your guilt
22 by competent evidence beyond a reasonable doubt before you
23 could be found guilty?

24 THE DEFENDANT: Yes, Your Honor.

25 THE COURT: Do you understand that if you went to

1 trial, you would not have to prove that you were innocent?

2 THE DEFENDANT: Yes, Your Honor.

3 THE COURT: Do you understand that if you went to
4 trial, a jury would have to be unanimous in order to find
5 you guilty of the charge filed against you? In other words,
6 each and every juror would have to agree that you were
7 guilty before you could be found guilty.

8 THE DEFENDANT: Yes, Your Honor.

9 THE COURT: Do you understand that if you went to
10 trial, you would have the right to participate in the
11 selection of the jury? And what that means is this: A
12 group of individuals would be brought into the courtroom.
13 That is a jury panel. You would have the right to remove
14 from that panel any individual who demonstrated that he or
15 she was not able to reach a fair and impartial verdict.

16 In addition, you would have the right to remove ten
17 prospective jurors and one prospective alternate juror from
18 the jury panel without giving any reason at all for doing
19 so.

20 THE DEFENDANT: Yes, Your Honor.

21 THE COURT: Do you understand that if you went to
22 trial, witnesses for the government would have to come into
23 the courtroom and testify in your presence?

24 THE DEFENDANT: Yes, Your Honor.

25 THE COURT: Do you understand that if you went to

1 trial, your attorney could cross-examine the government's
2 witnesses, object to evidence offered by the government, and
3 offer evidence on your behalf?

4 THE DEFENDANT: Yes, Your Honor.

5 THE COURT: Do you understand that if you went to
6 trial, the government would have to pay witness fees to
7 witnesses you wish to call on your behalf if you qualify as
8 being financially unable to pay such witness fees?

9 THE DEFENDANT: Yes, Your Honor.

10 THE COURT: Do you understand that if you went to
11 trial, you would have the right to testify if you chose to
12 testify?

13 THE DEFENDANT: Yes, Your Honor.

14 THE COURT: Do you understand that if you went to
15 trial, you would have the right not to testify, and, if you
16 chose not to testify, no one could infer or suggest that you
17 were guilty because you did not testify?

18 THE DEFENDANT: Yes, Your Honor.

19 THE COURT: If you plead guilty and I accept your
20 plea, do you understand you will give up your right to a
21 trial and all the other rights that I have mentioned to you,
22 that there will be no trial, and that I will enter a
23 judgment of guilty and sentence you on the basis of your
24 guilty plea after considering a presentence report?

25 THE DEFENDANT: Yes, Your Honor.

1 THE COURT: If you plead guilty, do you understand
2 that you will also have to give up your right not to
3 incriminate yourself, because I will question you about what
4 you did in order to satisfy myself that you are guilty as
5 charged, and you will have to admit that you are guilty as
6 charged?

7 THE DEFENDANT: Yes, Your Honor.

8 THE COURT: Now that I have mentioned these rights
9 to you, do you still want to plead guilty?

10 THE DEFENDANT: Yes, Your Honor.

11 THE COURT: Have you received a copy of the
12 indictment naming you and discussed with your attorney the
13 charge to which you intend to plead guilty?

14 THE DEFENDANT: Yes, Your Honor.

15 THE COURT: Do you understand that you are charged
16 in the indictment as follows: The indictment charges that
17 at all times material to the indictment, you are an Israeli
18 citizen residing in Brazil and that Michael Phan was an
19 Israeli citizen residing in Israel, and that from in and
20 around October 2013 and continuing through the date of the
21 indictment, you and Mr. Phan owned and operated a Web site
22 known as DeepDotWeb, which I will refer to as "DDW."

23 DDW provided users with direct access to numerous
24 online darknet marketplaces not accessible through
25 traditional search engines, at which vendors offered for

1 sale illegal narcotics such as fentanyl, carfentanil,
2 cocaine, heroin, and crystal methamphetamine, firearms,
3 including assault rifles, malicious software and hacking
4 tools, stolen financial information, and payment cards and
5 numbers, access-device-making equipment, and other illegal
6 contraband.

7 You and Phan received kick-back payments
8 representing a part of the proceeds from each purchase of
9 those illegal goods made by individuals referred to a
10 darknet marketplace from the DDW site. These kick-back
11 payments were made in virtual currency, such as Bitcoin, and
12 paid into a DDW-controlled Bitcoin wallet.

13 To conceal and disguise the nature and source of
14 the illegal proceeds totaling over \$15 million, you and Phan
15 transferred your illegal kick-back payments from the DDW
16 Bitcoin wallet to other Bitcoin accounts and to bank
17 accounts you controlled in the names of shell companies.

18 To maximize purchases made on the darknet
19 marketplaces and your kick-backs from those purchases, DDW
20 featured tutorials on how to buy drugs online through
21 darknet marketplaces and offered comparisons and reviews of
22 various other marketplaces.

23 DDW warned users of worldwide law enforcement
24 actions associated with criminal activity on the darknet.
25 Beginning in and around October 2013 and continuing through

1 the date of the indictment in the Western District of
2 Pennsylvania and elsewhere, you and Phan did knowingly,
3 intentionally, and unlawfully conspire together with each
4 other, with darknet marketplace administrators, and with
5 other persons to commit certain offenses against the United
6 States, that is to knowingly conduct and attempt to conduct
7 financial transactions affecting interstate and foreign
8 commerce, which transactions involved the proceeds of
9 specified unlawful activity with the intent to promote the
10 specified unlawful activity and knowing that the property
11 involved in the transactions represented the proceeds of
12 some form of unlawful activity and knowing that the
13 transactions were designed in whole or in part to conceal
14 and disguise the nature, the location, the source, the
15 ownership, and the control of the proceeds as specified
16 unlawful activity all in violation of federal law.

17 The indictment further alleges that the specified
18 unlawful activity included the felonious manufacture,
19 importation, receiving, concealment, buying, selling, and
20 otherwise dealing in a controlled substance in violation of
21 federal law, fraud and related activity in connection with
22 identification documents in violation of federal law, fraud
23 and related activity in connection with access devices in
24 violation of federal law, and fraud and related activity in
25 connection with computers in violation of federal law.

1 The indictment further alleges the manner and means
2 of the conspiracy. During all times relevant to the
3 indictment, darknet marketplaces operated on a Tor, T-O-R,
4 network, a computer network designed to facilitate anonymous
5 communication over the Internet.

6 Because of Tor's structure, a user who wanted to
7 visit a particular darknet marketplace had to know the
8 site's exact onion address. DDW simplified this process by
9 including pages and hyperlinks to various darknet
10 marketplaces' onion addresses.

11 Users who visited DDW were able to click on the
12 hyperlinks to navigate directly to the darknet marketplaces.
13 Embedded in these links were unique account identifiers
14 which enabled the individual marketplaces to pay what they
15 referred to as "referral bonuses" to DDW. Referral bonuses
16 paid in virtual currency for a percentage of the profits of
17 all the activities conducted on the marketplace -- I'm
18 sorry. My computer just fizzled -- for a percentage of the
19 profits of all the activities conducted on the marketplace
20 by any user who made purchases on the marketplace by using
21 DDW's customized referral link.

22 Through the use of the referral links, DDW received
23 kick-backs from darknet marketplaces every time a purchaser
24 used DDW to buy illegal narcotics or other illegal goods on
25 the marketplace.

1 During the time period relevant to the indictment,
2 DDW's referral links were widely used by users in the
3 Western District of Pennsylvania and elsewhere to access and
4 create accounts on many darknet marketplaces.

5 Over the course of the conspiracy, you and Mr. Phan
6 referred hundreds of thousands of users to darknet
7 marketplaces. These users, in turn, completed hundreds of
8 millions of dollars worth of transactions, including
9 purchases of illegal narcotics such as fentanyl,
10 carfentanil, cocaine, heroin, and crystal methamphetamine,
11 firearms, including assault rifles, malicious software and
12 hacking tools, stolen financial information and payment
13 cards and numbers, access-device-making equipment, and other
14 illegal contraband.

15 Through the use of referral links, you reaped
16 commissions worth millions of dollars, you and your
17 co-defendant, generated from the elicit sales conducted on
18 darknet marketplace accounts created through the site.

19 You and your co-defendant grew and promoted the DDW
20 site, which functioned to drive further traffic to the DDW
21 referral links, generating additional income for you and
22 Mr. Phan. You functioned as the administrator of DDW. You
23 registered the domain, made infrastructure payments, and
24 maintained control over site contact.

25 Phan was responsible for DDW's technical

1 operations, designing and maintaining the Web site's
2 day-to-day operation. You and Phan communicated on a daily
3 basis to facilitate your criminal enterprise.

4 From in or before November 2014 until the date of
5 the indictment, you and Phan controlled a Bitcoin wallet
6 that you used to receive kick-back payments for purchases
7 completed on the various darknet marketplaces.

8 Throughout the course of the conspiracy, DDW
9 operated accounts on darknet markets and communicated with
10 the operators of various darknet markets regarding kick-back
11 payments.

12 At various times relevant to this indictment, DDW
13 posted referral links to numerous darknet marketplaces,
14 including AlphaBay Market, Agora Market, Abraxas Market,
15 Dream Market, Valhalla Market, Hansa Market, TradeRoute
16 Market, Dr. D's, Wall Street Market, and Tochka Market.

17 One second here. During the time period relevant
18 to the indictment, users located in the Western District of
19 Pennsylvania and elsewhere could and did click on the DDW
20 referral links for the markets I have mentioned and created
21 accounts with each of those marketplaces.

22 DDW users used these accounts to purchase illegal
23 narcotics that I have mentioned earlier and firearms that I
24 had mentioned earlier, proxy service and virtual private
25 network services, fake and stolen identification documents,

1 such as driver's licenses and passports, and stolen access
2 devices, including credit card numbers and hacked accounts
3 from numerous providers, including United States-based
4 financial institutions, Internet service providers,
5 ride-sharing services, and video streaming services.

6 As the owner and operator of DDW, you earned a
7 kick-back for every illegal purchase conducted by accounts
8 created by way of the DDW marketplace referral link.

9 Between in and around November 2014 and April 10, 2019, DDW
10 received approximately 8,155 Bitcoin in kick-back payments
11 from darknet marketplaces worth approximately \$8,414,173
12 when adjusted for the trading value of Bitcoin at the time
13 of the transaction.

14 The Bitcoin was transferred to your Bitcoin wallet,
15 which you controlled, in a series of more than 40,000
16 deposits and was subsequently withdrawn to various
17 destinations through over 2,700 transactions. Due to
18 Bitcoin's fluctuating exchange rate, the value of the
19 Bitcoin at the time of the withdrawals from the DDW Bitcoin
20 wallet equates to approximately \$15,489,415.

21 Between in and around December 2016 and on or about
22 July 4, 2017, approximately four dozen individuals in the
23 Western District of Pennsylvania used a DDW referral link to
24 create accounts on AlphaBay market. These users purchased
25 thousands of dollars of illegal markets, including crack

1 cocaine and crystal methamphetamine, oxycodone, and LSD, as
2 well as a fake custom passport, which they had shipped to
3 the Western District of Pennsylvania. DDW received a
4 kick-back from each purchase made.

5 Between in and around January of 2016 and on or
6 about July 18, 2017, approximately 65 individuals in the
7 Western District of Pennsylvania used a DDW referral link to
8 create accounts on Hansa Market. These users purchased
9 illegal narcotics, including cocaine and methamphetamine,
10 oxycodone, and LSD, and fake payroll checks, which they had
11 shipped to the Western District of Pennsylvania, as well as
12 proxy servers. You received a kick-back from each of these
13 purchases made.

14 On September 20, 2017, an FBI undercover employee
15 in the Western District of Pennsylvania purchased six grams
16 of crystal methamphetamine from a vendor operating on
17 Tochka Market. A commission from that illegal drug
18 transaction was transferred to your Bitcoin wallet.

19 On April 12, 2019, an FBI undercover employee in
20 the Western District of Pennsylvania visited the DDW Web
21 site and created an account on Tochka Market using the DDW
22 referral link. Using the DDW linked account, the FBI
23 undercover employee purchased 10 grams of crystal
24 methamphetamine at a cost \$470.

25 On April 16 of 2019, an FBI undercover employee in

1 the Western District of Pennsylvania visited the DDW Web
2 site and created an account on Tochka Market using the DDW
3 referral link. Using this linked account, the FBI
4 undercover employee purchased 10 grams of crystal
5 methamphetamine for \$407.72, 60 OxyContin 60-milligram
6 tablets at a cost of \$431.66, and Tricera ransomware, a
7 software that encrypts victim's computers and renders them
8 useless until a ransom is paid at a cost of \$82.38.

9 On April 16, 2019, an FBI undercover employee in
10 the Western District of Pennsylvania visited the DDW Web
11 site and created an account on Wall Street Market using the
12 DDW referral link. Using that account, the FBI undercover
13 employee purchased 3.5 grams of heroin that cost \$82.38,
14 2 compromised credit cards at a cost of \$37.80, and 10 grams
15 of cocaine at a cost of \$480.

16 In seeking to conceal your elicit activities and
17 protect your criminal enterprise and illegal proceeds it
18 generated, you and your co-defendant set up numerous shell
19 companies around the world and used these companies to move
20 your ill-gotten gains and conduct other activity related
21 to DDW.

22 These companies included WwwCom Limited,
23 M&T Marketing, Imtech, O.T.S.R Biztech, and Tal Advanced
24 Tech. Throughout the course of the conspiracy, you held
25 numerous accounts at the virtual currency exchanges and

1 related companies to which you routed your ill-gotten gains.
2 These accounts were held in the names of Prihar, Phan, M&T
3 Marketing Limited, WwwCom Limited, and WwCom Limited.

4 You and your co-defendant subsequently moved
5 funds -- is that the noise from the jail?

6 THE DEFENDANT: Yeah, from behind me.

7 THE COURT: Okay. Can everyone hear me? That's
8 what I want to know.

9 THE DEFENDANT: I can hear you.

10 THE COURT REPORTER: I'm having trouble hearing
11 some parts with the background noise.

12 THE COURT: The background. Okay. Well, I'm not
13 sure what we can do about it. It seems to be quiet right
14 now.

15 You and your co-defendant subsequently moved funds
16 into multiple bank accounts, which you controlled, including
17 accounts at Baltikums Bank in Latvia, First International
18 Bank of Israel in Israel, and TBC Bank in Georgia, all in
19 violation of federal law.

20 And there are forfeiture allegations, as well, in
21 the complaint, which we will review, I think, at some point.
22 But the virtual, of course, is for your virtual -- the
23 forfeiture is for virtual currency accounts, bank accounts,
24 domain and contents, laptops, iPhone, and you remember
25 seeing the forfeiture allegations in the indictment,

1 Mr. Prihar?

2 THE DEFENDANT: Yes, Your Honor.

3 THE COURT: Okay. Do you understand the charges
4 that have been filed against you?

5 THE DEFENDANT: Yes, Your Honor.

6 THE COURT: Okay. What I'm going to do now is the
7 following: I am going to tell you specifically what it is
8 that the government would have to prove at trial with
9 respect to this charge.

10 In order for the crime of conspiracy to commit
11 money laundering in violation of federal law to be
12 established, the government must prove all three of the
13 following essential elements beyond a reasonable doubt:
14 That a conspiracy to launder money, as charged in the
15 indictment, was entered into by two or more people; two,
16 that you knew the purpose of the conspiracy; and, three,
17 that you deliberately joined the conspiracy.

18 Do you understand what the government would have to
19 prove at trial?

20 THE DEFENDANT: Yes, Your Honor.

21 THE COURT: I want to review with you now the
22 maximum penalty that could be imposed if you were convicted
23 of this offense after trial: A term of imprisonment of not
24 more than 20 years, a fine of not more than \$500, or twice
25 the value of the property involved in the transaction,

1 whichever is greater. And finally, if your sentence
2 includes a term of imprisonment, then a period of supervised
3 release of not more than three years.

4 In addition, do you understand that you will be
5 assessed a mandatory special assessment of \$100 pursuant to
6 federal law for the Crime Victims Fund? Do you understand
7 the maximum penalty?

8 THE DEFENDANT: Yes, Your Honor.

9 THE COURT: Also, as I stated earlier, restitution
10 may be required and forfeiture as set forth in the
11 indictment will be applicable in this case. Do you
12 understand that?

13 THE DEFENDANT: Yes, Your Honor.

14 THE COURT: Has anyone made any threat to you or
15 anyone else that has forced you in any way to plead guilty?

16 THE DEFENDANT: No, Your Honor.

17 THE COURT: Now, I do know that there is a plea
18 agreement in this case, and I'm going to ask you,
19 Mr. Prihar, if you have read the entire plea agreement and
20 reviewed it with your attorney?

21 THE DEFENDANT: Yes, I've read it, Your Honor.

22 THE COURT: Okay. I'm going to ask Ms. Smolar to
23 put the substance of the plea agreement on the record and
24 for you to listen carefully.

25 MS. SMOLAR: Your Honor, just one correction.

1 When you read the penalties, I believe it's a fine of not
2 more than \$500,000, as opposed to \$500.

3 THE COURT: I'm sorry. I did make a mistake. I'm
4 sorry. All this talking. Mr. Prihar, do you understand
5 that the maximum penalty can be \$500,000?

6 THE DEFENDANT: Yes, Your Honor.

7 THE COURT: Not \$500, \$500,000. Thank you,
8 Ms. Smolar.

9 MS. SMOLAR: Sure. Yes, Your Honor, there is a
10 plea agreement dated March 15, 2021. Pursuant to the plea
11 agreement, the defendant, Tal Prihar, agrees to enter a plea
12 of guilty to Count 1 of the indictment, charging him with
13 violating Title 18 United States Code, Section 1956(h).

14 He agrees to pay any mandatory restitution. He
15 agrees that the restitution and any other financial
16 obligations imposed by the court are due and payable
17 immediately after judgment is entered subject to immediate
18 enforcement in full by the United States.

19 Upon request of the United States, the defendant
20 agrees to provide all information regarding his income,
21 assets, and financial status, and that of his household. If
22 requested, he agrees to submit to an interview and/or
23 deposition as to these matters and to undergo a polygraph
24 examination.

25 Upon request, he also agrees to complete a sworn

1 financial statement and to provide all documents under the
2 defendant's possession or control regarding his financial
3 resources. The defendant authorizes the United States to
4 obtain a credit report pertaining to him.

5 He will immediately notify the court and the United
6 States Attorney of any improvements in his economic
7 circumstances that might increase his ability to pay
8 restitution.

9 He will voluntarily forfeit to the United States
10 all property subject to forfeiture, including, but not
11 limited to, the following: The virtual currency accounts at
12 Okcoin, corporate account in the name of WwwCom Limited,
13 virtual currency account at Kraken, which is an individual
14 account in the name of Tal Prihar, virtual currency account
15 at Binance under the control of Tal Prihar, and all virtual
16 currency, including private keys, recovery seeds, and
17 passwords, under the control of Tal Prihar.

18 With regard to bank accounts, he agrees to forfeit
19 to the United States the bank accounts listed on Page 3 at
20 the TBC Bank in Georgia, all in the name of Tal Prihar. And
21 then the other categories of forfeiture are the DeepDotWeb
22 domain and the contents of the DeepDotWeb server or site,
23 one Asus Model X510U laptop, and one black in color Apple
24 iPhone in a black case with charger.

25 And he acknowledges that the above-described

1 property is presently the subject of a criminal forfeiture
2 action and that the property is properly forfeitable to the
3 United States as property involved in the offense.

4 The United States and the defendant agree that all
5 of the computers, computer media, computer peripherals
6 seized from the defendant current -- and the current in the
7 custody or control of the government were properly seized
8 and involved in or used in violation of federal law by the
9 defendant.

10 Tal Prihar agrees to the entry of a forfeiture
11 money judgment in favor of the United States in the amount
12 of \$8,414,173 pursuant to 18 United States Code, Section
13 982(a)(1). Any funds seized as a result of the forfeiture
14 of virtual currency accounts and bank accounts referenced in
15 Paragraph 6 will count towards the satisfaction of this
16 money judgment.

17 He agrees that the United States is not limited to
18 forfeiture of the property described above. If the United
19 States determines that property of the defendant identified
20 for forfeiture cannot be located upon the exercise of due
21 diligence, has been transferred or sold to or deposited with
22 a third party, has been placed beyond the jurisdiction of
23 the court, has substantially diminished in value, or has
24 been commingled with other property which cannot be divided
25 without difficulty, then the United States shall, at its

1 option, be entitled to forfeiture of any other property,
2 substitute assets, of the defendant up to the value of the
3 property described above. The court shall retain
4 jurisdiction to settle any disputes arising from application
5 of this clause.

6 The defendant agrees that forfeiture of substitute
7 assets, as authorized herein, shall not be deemed to be an
8 alternation of the defendant's sentence. Forfeiture of the
9 defendant's assets shall not be treated as satisfaction of
10 any fine, restitution, cost of imprisonment, or any other
11 penalty the court may impose upon the defendant in addition
12 to the forfeiture.

13 He will pay a special assessment of \$100 to the
14 Clerk of Court. He recognizes that pleading guilty may have
15 consequences with respect to his immigration status if he is
16 not a citizen of the United States. Under federal law, a
17 broad range of crimes are removable offenses. Removal and
18 other immigration consequences, including denaturalization
19 if the defendant is a naturalized citizen, are the subject
20 of a separate proceeding.

21 However, the defendant understands that no one,
22 including his attorney or the district court, can predict to
23 a certainty the effect of his conviction on his immigration
24 status. The defendant, nevertheless, affirms that he wants
25 to plead guilty regardless of any immigration consequences

1 that his plea may entail even if the consequence is his
2 automatic removal from the United States.

3 If the defendant abides by all the conditions of
4 this agreement and is eligible and applies to transfer his
5 sentence pursuant to the International Prisoner Transfer
6 Program, the United States Attorney's office for the Western
7 District of Pennsylvania agrees to not oppose the
8 defendant's transfer application.

9 Defendant acknowledges and understands, however,
10 that the transfer decision rests in the sole discretion of
11 the Office of International Affairs, OIA, of the criminal
12 division of the United States Department of Justice and that
13 the position of the United States Attorney's Office for the
14 Western District of Pennsylvania is neither binding, nor
15 determinative of the position of other federal agencies or
16 on the final transfer decision of OIA.

17 Defendant further understands that in addition to
18 OIA, federal law and the underlying transfer treaties
19 require that the foreign government must also approve the
20 transfer.

21 The defendant agrees not to make a request under
22 the International Prisoner Transfer Program until the
23 conditions set forth in this agreement are met or no sooner
24 than one year from the date of his guilty plea, whichever
25 comes first.

1 The defendant understands and acknowledges that the
2 International Prisoner Transfer Program is designed to
3 relieve some of the special hardships that fall upon
4 offenders incarcerated in a foreign country and to
5 facilitate the rehabilitation of these offenders. The
6 defendant understands and acknowledges, however, that this
7 office has no authority to grant or deny the defendant's
8 request under the program.

9 Tal Prihar waives the right to take a direct appeal
10 from his conviction or sentence subject to the following
11 exceptions: If the United States appeals from the sentence,
12 the defendant may take a direct appeal from the sentence.
13 If the sentence exceeds the applicable statutory limits set
14 forth in the United States Code or the sentence unreasonably
15 exceeds the guideline range determined by the court,
16 Tal Prihar may take a direct appeal from the sentence.

17 The defendant further waives the right to file a
18 motion to vacate sentence under 20 United States Code
19 Section 2255, attacking his conviction or sentence, and the
20 right to file any other collateral proceedings attacking his
21 conviction or sentence.

22 Nothing in the forgoing waivers of rights shall
23 preclude the defendant from raising a claim of ineffective
24 assistance of counsel in an appropriate forum if otherwise
25 permitted by law. The defendant understands that the

1 government retains its right to oppose any such claim on
2 procedural or substantive grounds.

3 In consideration and entirely contingent upon the
4 prior provisions of this agreement, the United States
5 Attorney for the Western District of Pennsylvania agrees to
6 the following: The United States Attorney retains the right
7 of allocution at the time of sentencing to advise the
8 sentencing court of the full nature and extent of the
9 involvement of Tal Prihar in the offense charged in the
10 indictment and any other matters relevant to the imposition
11 of a fair and just sentence.

12 The United States agrees to recommend a two-level
13 downward adjustment for acceptance of responsibility and
14 pursuant to Sentencing Guideline 3E1.1B to move for an
15 additional one-level adjustment.

16 However, if at any time prior to imposition of the
17 sentence, the defendant fails to fully satisfy the criteria
18 set forth in Section 3E1.1 or acts in a manner inconsistent
19 with acceptance of responsibility, the United States will
20 not make, or if already made, will withdraw this
21 recommendation or motion. The United States Attorney will
22 take any position he deems appropriate in the course of any
23 appeals from the sentence or in response to any
24 post-sentence motions.

25 The Court has already discussed the penalties which

1 are set forth on Page 6 of the agreement, but I will not go
2 through these again at this time. Parties stipulate that
3 under Sentencing Guideline 2S1.1A2, the base offense level
4 is 8. The base offense level is increased by 18 levels
5 under 2B1.1B1J because the value of the laundered funds is
6 more than \$3,500,000.

7 The offense level is increased by six levels under
8 Sentencing Guideline Section 2S1.1B1 because the defendant
9 knew or believed that any of the laundered funds were the
10 proceeds of an offense involving the manufacture,
11 importation, or distribution of a controlled substance or a
12 listed chemical.

13 The offense level is further increased by two
14 levels under Section 2S1.1B2B because the defendant was
15 convicted under Title 18 United States Code, Section 1956.
16 The offense level is further increased by two levels under
17 2S1.1B3 because the offense involves sophisticated
18 laundering.

19 Following a three-level reduction for timely
20 acceptance of responsibility, the parties stipulate that the
21 final offense level is 33. This stipulation represents the
22 parties' best understanding on the basis of the information
23 available as of the date of this agreement. The stipulation
24 is not binding on the court and does not preclude the
25 parties from bringing to the attention of the probation

1 office or the court any information not within their
2 knowledge. The United States agrees to recommend a sentence
3 at the low end of the guideline range as calculated and
4 adopted by the court.

5 THE COURT: Thank you. As we do in every
6 sentencing proceeding, we will now have a sidebar. So other
7 people, Susan, you'll put them in the waiting room.

8 THE DEPUTY CLERK: Yes. One moment.

9 (Sealed sidebar discussion.)

10 THE COURT: Do we have everyone back, Susan?
11 You're muted.

12 THE DEPUTY CLERK: Sorry, Judge. Yes. Everyone
13 seems to be back.

14 THE COURT: Okay. Thank you. Mr. Prihar, you
15 heard what the Assistant United States Attorney and your
16 attorney just said to describe the agreement you arrived at
17 with the government, did you not?

18 THE DEFENDANT: Yes, Your Honor.

19 THE COURT: Did you understand what they said?

20 THE DEFENDANT: Yes, Your Honor.

21 THE COURT: And do you agree that what they said
22 accurately describes the terms of the agreement?

23 THE DEFENDANT: Yes, Your Honor.

24 THE COURT: You should understand that I am not
25 required to accept a plea agreement. I may reject it. In

1 the unlikely event that I did reject the plea agreement, you
2 would be advised of that in open court and have the
3 opportunity to withdraw your guilty plea.

4 If I rejected the plea agreement and you decided to
5 continue with your plea of guilty, the disposition of your
6 case could be less favorable than that called for by the
7 plea agreement. Do you understand that?

8 THE DEFENDANT: Yes, Your Honor.

9 THE COURT: Do you understand that the offense to
10 which you are pleading guilty is a felony? If your plea is
11 accepted, you would be adjudged guilty of a felony. And I
12 am not sure. I'm assuming that you are not a United States
13 citizen. Is that correct?

14 THE DEFENDANT: Correct, Your Honor.

15 THE COURT: And do you understand that there may
16 be consequences to your guilty plea? I know that was stated
17 out loud by Ms. Smolar, but I want to be sure that you
18 understand that there could be consequences to your
19 immigration status if you are not a United States citizen.
20 Do you understand that?

21 THE DEFENDANT: Yes, Your Honor.

22 THE COURT: That you may be deported and that
23 there are no guarantees as to what effect this will have on
24 your immigration status.

25 THE DEFENDANT: Yes, Your Honor, I understand.

1 THE COURT: And at least in the United States,
2 this will affect the right to possess any kind of firearm.
3 Do you understand that?

4 THE DEFENDANT: Yes, Your Honor.

5 THE COURT: Under the Sentencing Reform Act of
6 1984, the United States Sentencing Commission issued
7 guidelines for judges to follow in determining sentences in
8 criminal cases for offenses occurring after November 1,
9 1987.

10 The United States Supreme Court has ruled that
11 these guidelines are advisory only. Have you and your
12 attorney talked about how the advisory sentencing guidelines
13 might apply to your case?

14 THE DEFENDANT: Yes, Your Honor, we discussed it.

15 THE COURT: Do you understand that I will not be
16 able to determine the advisory guideline sentence range for
17 your case until after a presentence report has been
18 completed and you and the government have had the
19 opportunity to review the report and perhaps challenge any
20 of the facts or calculations in it?

21 THE DEFENDANT: Yes, Your Honor.

22 THE COURT: Do you understand that after it has
23 been determined what advisory guideline sentence range
24 applies to a case, I have the authority to impose a sentence
25 either more severe or less severe than that called for by

1 the advisory sentencing guidelines?

2 THE DEFENDANT: Yes, Your Honor.

3 THE COURT: And do you understand that under
4 certain circumstances, you or the government may have the
5 right to appeal any sentence that I oppose? However, by the
6 terms of the plea agreement that you have entered into with
7 the government, you have given up the right to take a direct
8 appeal from your conviction or sentence subject to three
9 exceptions, all of which are very narrow.

10 If your sentence would exceed the applicable
11 statutory limits set forth in federal law, then you could
12 take an appeal. And I can assure you, that is not going to
13 happen. If your sentence unreasonably exceeds the advisory
14 guideline range that I determine applies to this case, then
15 you could take a direct appeal from your sentence. And the
16 likelihood of that happening is very small.

17 Finally, if the United States appeals from the
18 sentence, then you may take a direct appeal from the
19 sentence. Do you understand that your right to take a
20 direct appeal from your conviction or sentence is limited to
21 these three exceptions?

22 THE DEFENDANT: Yes, Your Honor.

23 THE COURT: And you understand how narrow the
24 exceptions are?

25 THE DEFENDANT: Yes, Your Honor.

1 THE COURT: You have also given up the right to
2 file a motion to vacate your sentence under 28 United States
3 Code 2255 attacking your conviction or sentence and the
4 right to file any other collateral proceeding attacking your
5 conviction or sentence. Do you understand that?

6 THE DEFENDANT: Yes, Your Honor.

7 THE COURT: However, nothing in this giving up of
8 rights would preclude you from raising a claim of
9 ineffective assistance of counsel in an appropriate forum if
10 otherwise permitted by law. Do you understand that?

11 THE DEFENDANT: Yes, Your Honor.

12 THE COURT: And do you understand that parole has
13 been abolished, and if you are sentenced to a term of
14 imprisonment, you will not be released on parole?

15 THE DEFENDANT: Yes, Your Honor.

16 THE COURT: Do you understand that if your
17 sentence is more severe than you expected, you will still be
18 bound by your guilty plea and have no right to withdraw it?

19 THE DEFENDANT: Yes, Your Honor.

20 THE COURT: Except for your discussions with your
21 attorney about the advisory sentencing guidelines, has
22 anyone made any prediction or promise to you about what your
23 sentence will be?

24 THE DEFENDANT: No, Your Honor.

25 THE COURT: Has anything I have said here today

1 suggested to you what your actual sentence will be?

2 THE DEFENDANT: No, Your Honor.

3 THE COURT: Have you been instructed by anyone to
4 respond untruthfully to any question about a promised
5 sentence?

6 THE DEFENDANT: No, Your Honor.

7 THE COURT: Mr. Prihar, did you, beginning in and
8 around October 2013 and continuing through the date of this
9 indictment, in the Western District of Pennsylvania and
10 elsewhere, along with Mr. Phan, knowingly, intentionally,
11 and unlawfully conspire together with him and other darknet
12 marketplace administrators and with other persons to commit
13 certain offenses against the United States, that is to
14 knowingly conduct and attempt to conduct financial
15 transactions affecting interstate and foreign commerce,
16 which transactions involved the proceeds of specified
17 unlawful activity with the intent to promote the carrying on
18 of specified unlawful activity in violation of federal law,
19 knowing that the property involved in the transactions
20 represented the proceeds of some form of unlawful activity
21 and knowing that the transactions were designed in whole and
22 in part to conceal and disguise the nature of the location,
23 the source, the ownership, and the control of the proceeds
24 of specified unlawful activity, all in violation of federal
25 law? Did you do that, sir?

1 THE DEFENDANT: Yes, Your Honor.

2 THE COURT: Ms. Smolar, would you summarize the
3 government's evidence about this charge? And I want you to
4 listen carefully as she does so, Mr. Prihar.

5 THE DEFENDANT: Okay.

6 MS. SMOLAR: Yes, Your Honor. Beginning in
7 October of 2013 and continuing until its seizure in April of
8 2019, Tal Prihar and Michael Phan, both Israeli citizens,
9 owned and operated DeepDotWeb, which I'll refer to as "DDW."
10 Prihar and Phan grew up in Israel, but Prihar moved to
11 Brazil, and Phan resides in Israel.

12 The DeepDotWeb site included content pertaining to
13 darknet marketplaces, including how to remain anonymous
14 online, virtual currency, and worldwide law enforcement
15 actions associated with criminal activity on the darknet.

16 DDW also featured tutorials on how to buy drugs
17 online through darknet marketplaces and offered comparisons
18 and reviews of various marketplaces selling illegal
19 narcotics.

20 The DDW site also included hyperlinks to various
21 darknet marketplaces dot-web addresses. Users who visited
22 DDW were able to click on the hyperlinks to directly
23 navigate to the darknet marketplaces.

24 Embedded in these links were unique account
25 identifiers, which enabled the individual marketplaces to

1 pay "referral bonuses," also known as "affiliate bonuses" to
2 DDW, referral bonuses paid in virtual currency for a
3 percentage of the profits from all the transactions on the
4 marketplace by any user who accessed the site through DDW's
5 customized referral link. Through the referral links, DDW
6 received kick-backs from darknet marketplaces for directing
7 DDW users to the marketplaces.

8 During the time period relevant to our indictment,
9 DDW's referral links were widely used by individuals in the
10 Western District of Pennsylvania and elsewhere to access
11 many darknet marketplaces.

12 In fact, over the course of the conspiracy, the
13 defendants referred hundreds of thousands of users to
14 darknet marketplaces. These users, in turn, completed
15 hundreds of millions of dollars worth of transactions,
16 including purchases of illegal narcotics, such as fentanyl,
17 carfentanil, cocaine, heroin, and crystal methamphetamine,
18 firearms, including assault rifles, malicious software and
19 hacking tools, stolen financial information, and payment
20 cards and numbers, access-device-making equipment and other
21 illegal contraband.

22 Through the use of the referral links, the
23 defendants reaped commissions worth millions of dollars
24 generated from the elicit sales conducted on darknet market
25 accounts created through the site. The defendants grew and

1 promoted the DDW site, which functioned to drive further
2 traffic to the DDW referral links, generating additional
3 income for the defendants.

4 Prihar operated as the administrator of DDW. He
5 registered the domain, made infrastructure payments, and
6 maintained control over site content. Phan was responsible
7 for DDW's technical operations, designing and maintaining
8 the Web site's day-to-day operations. Phan and Prihar
9 communicated on a daily basis to facilitate their criminal
10 enterprise.

11 From on or before November 2014 until the site was
12 seized in April of 2019, the defendants controlled a Bitcoin
13 wallet where the defendants received a commission of sales
14 completed on various darknet marketplaces. Throughout the
15 course of the conspiracy, DDW operated accounts on darknet
16 markets and communicated with the operators of various
17 darknet markets regarding the kick-back payments.

18 DDW posted referral links to the following darknet
19 marketplaces: AlphaBay Market, Agora Market, Abraxas
20 Market, Dream Market, Valhalla Market, Hansa Market,
21 TradeRoute Market, Dr. D's, Wall Street Market, and Tochka
22 Market.

23 23.6 percent of all orders completed on AlphaBay
24 and 47.2 percent of orders completed on Hansa were from
25 users referred by DDW. DDW received a kick-back on all of

1 those users' purchases.

2 The nexus to the Western District of Pennsylvania
3 is strong. For example, between December 5, 2016 and
4 July 4, 2017, approximately four dozen individuals in the
5 Western District of Pennsylvania used a DDW referral link to
6 create accounts on AlphaBay Market. These users purchased
7 thousands of illegal narcotics, including crack cocaine and
8 crystal methamphetamine, oxycodone and LSD, as well as fake
9 custom passports, which they had shipped to the Western
10 District of Pennsylvania.

11 Further, undercover illegal narcotics purchases
12 have been made by FBI undercover employees using the
13 referral links on DDW. Those illegal narcotics were then
14 shipped to the Western District of Pennsylvania.

15 Between November 2014 and April 10 of 2019, DDW
16 received approximately 8,155 Bitcoin in kick-back payments
17 from darknet marketplaces worth approximately \$8,414,173
18 when adjusted for the trading value of Bitcoin at the time
19 of each transaction. The Bitcoin was transferred to DDW's
20 Bitcoin wallet in a series of more than 40,000 deposits and
21 was subsequently withdrawn to various locations.

22 In seeking to protect their criminal enterprise and
23 the illegal proceeds it generated, the defendants set up
24 shell companies around the world. The defendants used these
25 companies to move and conceal their ill-gotten gains and

1 conduct other activity related to DDW. They subsequently
2 moved funds into multiple bank accounts, including accounts
3 at Baltikums Bank in Latvia and TBC Bank in Georgia.

4 THE COURT: Okay. Mr. Prihar, did you hear what
5 Ms. Smolar stated that the government contends that you did?

6 THE DEFENDANT: Yes, Your Honor.

7 THE COURT: Did you understand what she said?

8 THE DEFENDANT: Yes, Your Honor.

9 THE COURT: Do you agree that what she said
10 accurately describes what you did?

11 THE DEFENDANT: Yes, Your Honor.

12 THE COURT: Do you still want to plead guilty?

13 THE DEFENDANT: Yes, Your Honor.

14 THE COURT: Mr. Comber, is it your advice that
15 Mr. Prihar plead guilty?

16 MR. COMBER: It is, Your Honor.

17 THE COURT: Mr. Prihar, because you acknowledge
18 that you are, in fact, guilty as charged in the indictment,
19 because you know about the right to a trial, because you
20 know the maximum penalty that could be imposed if you were
21 convicted of this offense after trial, and because you are
22 voluntarily pleading guilty, I will accept your guilty plea
23 and enter a judgment of guilty on your plea to Count 1 of
24 Indictment No. 19-115.

25 It is the finding of the Court in the case of the

1 United States of America against Tal Prihar that Mr. Prihar
2 is fully competent and capable of entering an informed plea,
3 that his plea of guilty is knowing and voluntary and
4 supported by an independent basis, in fact, committing each
5 of the essential elements of the offense.

6 Therefore, the plea is accepted, and the defendant,
7 Tal Prihar, is now adjudged guilty of the charge contained
8 in Count 1. And we already have a signed change of plea.
9 So that is already in our possession. Is that right, Susan?

10 THE DEPUTY CLERK: That's correct, Judge.

11 THE COURT: Okay. So the next thing that happens,
12 Mr. Prihar, is that a presentence investigation report will
13 be prepared by the United States Probation Office. And this
14 is pursuant to our local criminal rule, 32(c). After the
15 report is completed, the probation office will send a copy
16 of that report to your attorney to review with you before
17 you are sentenced. A copy will also be sent to the
18 Assistant United States Attorney.

19 If either the government or you disputes facts
20 contained in the report that are material to sentencing,
21 then you or the government are obliged to seek
22 administrative resolution of those matters in a presentence
23 conference with opposing counsel and the probation office.

24 Thereafter, both your attorney and the Assistant
25 United States Attorney will file a position with respect to

1 sentencing factors, accompanied by a written statement
2 certifying that counsel has conferred with opposing counsel
3 and the probation office in an attempt to resolve any
4 disputes. After receipt of those positions, the probation
5 officer will make any necessary investigation and changes to
6 the report.

7 Thereafter, the probation officer will prepare an
8 addendum to the report that sets forth any objections that
9 have been made by counsel, but not resolved, together with
10 the probation officer's comments.

11 The probation officer will certify that the report
12 and any revisions thereto and the addendum have been
13 disclosed to you and to all counsel and that the addendum
14 fairly sets forth all remaining objections.

15 Any disputes that exist will be resolved at the
16 sentencing hearing where both you and the government will
17 have the opportunity to present any argument and/or
18 testimony evidence on the disputes.

19 Any document related to the sentencing containing
20 highly-sensitive information, as defined in the
21 administrative order at Miscellaneous No. 21-50, must be
22 hand-delivered along with one copy to the clerk's office and
23 to the attention of Colleen Willison at least ten days prior
24 to sentencing.

25 Sentencing in this case will take place on

1 August 2, 2021 at 10:00. Is there anything further from the
2 government, Ms. Smolar?

3 MS. SMOLAR: Nothing further, Your Honor. Thank
4 you.

5 THE COURT: Mr. Comber?

6 MR. COMBER: No, Your Honor. Thank you.

7 THE COURT: Okay. So Mr. Prihar will remain
8 incarcerated, and I will see you in August. Thank you all
9 very much.

10 MR. COMBER: Thank you, Your Honor.

11 THE DEFENDANT: Thank you, Your Honor.

12 (Court was adjourned.)

13

14 C E R T I F I C A T E

15 I, Amanda M. Williamson, certify that the foregoing
16 is a correct transcript from the record of proceedings in
17 the above-titled matter.

18 S/Amanda M. Williamson _____

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